

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

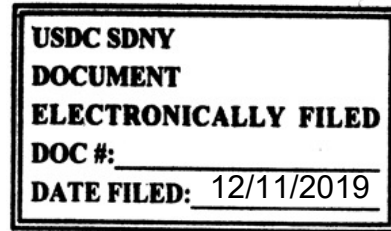
-----X  
LINARES BARAJAS, et al.,

Plaintiffs,

- against -

THAI TASTE, INC., et al.,

Defendants.  
-----X



19 Civ. 01643 (RWL)

**ORDER  
APPROVING SETTLEMENT**

**ROBERT W. LEHRBURGER, United States Magistrate Judge.**

This case is an action for damages under the Fair Labor Standards Act, 29 U.S.C. § 201 *et seq.* ("FLSA") and the New York Labor Law. Before the Court is the parties' joint letter request that the Court approve their settlement agreement, a fully executed copy of which was submitted on November 25, 2019. (Dkt. 30.) A federal court is obligated to determine whether settlement of an FLSA case under the court's consideration is fair and reasonable and the subject of an arms-length negotiation, not an employer's overreaching. *See Cheeks v. Freeport Pancake House*, 796 F.3d 199 (2d Cir. 2015).

The Court has carefully reviewed the Settlement Agreement as well as the parties' letter. The Court has taken into account, without limitation, prior proceedings in this action; the attendant risks, burdens, and costs associated with continuing the action; the range of possible recovery; whether the Settlement Agreement is the product of arm's length bargaining between experienced counsel or parties; the amount of attorney's fees; and the possibility of fraud or collusion. Among other attributes of the Settlement Agreement, there are no confidentiality restrictions; the non-disparagement provision is mutual and contains appropriate exceptions; the release is narrowly tailored to wage and

hour claims; and the attorneys' fees are within a fair, reasonable and acceptable range. Considering all the circumstances, the Court finds that the Settlement Agreement is fair and reasonable and hereby approved.

SO ORDERED.

A handwritten signature in black ink, appearing to read 'R. Lehrburger', with a long horizontal flourish extending to the right.

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ROBERT W. LEHRBURGER  
UNITED STATES MAGISTRATE JUDGE

Dated: December 11, 2019  
New York, New York

Copies transmitted to all counsel of record.